IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.THANKAPPAN

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

RP.No. 518 of 2004(G)

AGAINST THE JUDGEMENT/ORDER IN CRP.2207/1994 Dated 26/11/2003
RCA.18/1991 of DISTRICT COURT, KOTTAYAM
.....

REVIEW PETITIONER/REVISION PETITIONER

ANANDAMANDIRAM HOTEL (P) LTD.,
REP.BY ITS MANAGING DIRECTOR G.RAJENDRAN.

BY ADV. SRI.DINESH R.SHENOY

RESPONDENTS: RESPONDENT

E.K.JOHN, FORMERLY POPULAR TRADING COMPANY, NOW RESIDING AT TOURIST HOTEL, NEAR COLLECTORATE, KOTTAYAM.

BY ADV. SRI.V.D.KARUNAKARAN
SRI.JOHN JOSEPH
SRI.SAIGI JACOB PALATTY
SRI.SABU GEORGE

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 17/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & K.THANKAPPAN, JJ.

R.P.No.518 of 2004 in
C.R.P.No.2207 OF 1994 and
C.M.Appl.No.666 of 2004

Dated 17th July, 2007

ORDER

Koshy,J.

The review petition was filed with a petition to condone the delay of 185 days. Thereafter, a petition for setting aside the abatement was filed as the respondent died on 3.8.2004. That petition was filed with a delay of 19 days. The rent control petition was filed in 1980. The revision application was filed in 1994 and we have decided the matter on 26.11.2003. After considering the entire facts, we have dismissed the revision application holding that the matter was meticulously considered by the court below and we came to the conclusion that petitioner was deliberately avoided the directions of the rent control authority. The contentions in the review petition are the very same contentions argued when the C.R.P. was heard and those contentions were rejected at that time. Appeal filed before the Hon'ble Supreme Court was also rejected and when petitioner asked for liberty to file review petition, that portion was allowed. But, since the very same contentions were considered and rejected, we see no ground to review the judgment.

C.M.Appl.No.666 of 2004 is a petition to condone the delay of 185 days in filing the review petition. Absolutely no grounds are made out for condoning the long delay.

Both delay condonation petition and review petition are dismissed.

J.B.KOSHY
JUDGE

K.THANKAPPAN
JUDGE

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